

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEVEN GEORGE FAIR,

07-CV-1681-HU

ORDER

Plaintiff,

v.

SPORTSMANS WAREHOUSE,
STEPHEN C. LEBANC, STUARD
UTGAARD, PRAIRIE WEST STUDIO,
ANGLER ART, JOHN DOE 1-999,

Defendants.

STEVEN GEORGE FAIR
c/o Post Master General
Sandy General Delivery
Sandy, OR 97055

Plaintiff, *Pro Se*

CHRISTOPHER R. SULLIVAN

Lindquist & Vennum P.L.L.P.
4200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
(612) 371-6226

RONALD TRACY ADAMS

Black Helterline, LLP
1900 Fox Tower
805 S.W. Broadway
Portland, OR 97205-3359
(503) 417-2132

Attorneys for Defendants Sportsmans Warehouse,
Prairie West Studio, Angler Art, and Stuart
Utgaard

PETER A GERGELY

Merchant & Gould
1050 Seventeenth Street
Suite 1950
Denver, CO 80265
(303) 357-1670

JAMES LEE GUSE

Parsons Farnell & Grein, LLP
805 S.W. Broadway
Suite 1560
Portland, OR 97205
(503) 222-1812

Attorneys for Defendant Stephen C. LeBlanc

BROWN, Judge.

Magistrate Judge Dennis James Hubel issued Findings and Recommendation (#33) on April 4, 2008, in which he recommended the Court grant the Motion to Dismiss (#15) of Defendants Stuart Utgaard and Sportsmans Warehouse joined by Defendant Stephen LeBlanc (#25) and dismiss this matter with prejudice. Plaintiff

filed Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*); *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988).

This Court has carefully considered Plaintiff's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Hubel's Findings and Recommendation (#33) and, therefore, **GRANTS** the Motion to Dismiss (#15) of Defendants Utgaard and Sportsmans Warehouse and joined by Defendant LeBlanc (#25), and **DISMISSES** this matter **with**

prejudice.

IT IS SO ORDERED.

DATED this 16th day of June, 2008.

/s/ Anna J. Brown
ANNA J. BROWN
United States District Judge